



101 Park Avenue, 17th Floor  
New York, NY 10178  
Tel (212) 878-7900 Fax (212) 692-0940  
www.foxrothschild.com

ERNEST EDWARD BADWAY  
Direct No: 212.878.7986  
Email: EBadway@FoxRothschild.com

MEMO ENDORSED

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DATE FILED: 7-19-23

July 18, 2023

**VIA ECF**

The Honorable Andrew L. Carter, Jr., U.S.D.J.  
United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States of America v. Valeria Ruth HaCohen,***  
**Case No. 1:20-cr-00648-ALC**

Dear Judge Carter:

We represent the defendant, Valeria Ruth HaCohen, in the above-referenced matter. We write to request certain modifications of the conditions of Ms. HaCohen's bail. We are requesting permission for Ms. HaCohen's company, Motek Industries LLC, to make a shipment to India for one of its clients and propose a process for her company to ship products to Asia, specifically to China and India, without seeking leave of Court for each shipment, for its current customers, primarily based in Israel.

Initially, we have discussed these modifications with United States Attorney's Office, and the Government has consented to allow the specific shipment of three products to Flextronics Technologies (I) Pvt, a subsidiary of Flextronics International, Ltd., in Bangalore, India.

As shown in the invoice and purchase order attached hereto as Exhibits A and B, the items are: one (1) HP Z800 Motherboard, three (3) HP Z440 Motherboards, and two (2) HP Z420 Motherboards. These items are obsolete HP motherboards used to repair existing HP printers. The total price for the shipment would be \$2,921. This shipment does not involve any export-controlled items and is unrelated to this case.

If the Court approves Ms. HaCohen's ability to do business with companies in India as requested below, this specific request will be unnecessary. If, however, the Court requires additional time to consider the general modification change, we respectfully ask that the Court grant this specific request for the identified shipment in the interim. The Office of Pretrial Services has indicated that it would defer to the United States Attorney's Office regarding these

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requests, and, as described above, the United States Attorneys' Office has indicated that it has no objection to the proposed shipment to Flextronics in India.

Regarding future shipments by Motek to Asia, the Government has proposed—and Ms. HaCohen agrees—that the undersigned counsel will send the documentation for each proposed shipment to an email chain including the Assistant United States Attorneys and agents from the Department of Commerce (“Commerce”) responsible for this matter, who will then promptly address each such request. If approved by the Assistant United States Attorneys and Commerce agents, Motek would be permitted to fulfil the shipment without seeking leave of Court.

These requested modifications will ease unnecessary restrictions on Ms. HaCohen, her company, and its employees, thereby imposing the least restrictive means necessary while ensuring Ms. HaCohen will return to Court, as she has done from the beginning of this matter.

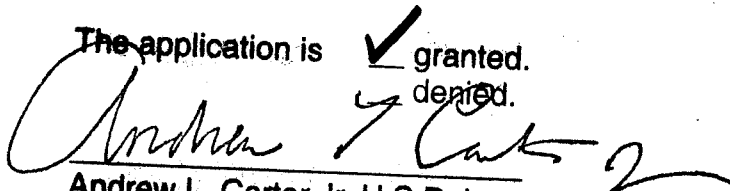
Based on the foregoing, we respectfully request a modification of the conditions of Ms. HaCohen's bail to (i) permit Ms. HaCohen's company, Motek, to ship products to countries in Asia including, specifically, China and India, without leave of Court, in accordance with the procedure set forth herein, and (ii) permit Motek to fulfil the above-referenced shipment of HP motherboards to Flextronics in India.

We are most grateful for the Court's consideration of this request and are available to answer any questions or discuss this matter with the Court in further detail.

Respectfully submitted,

/s/ Ernest Edward Badway  
Ernest Edward Badway

cc: Michael D. Lockard, Esq. (via ECF)  
Matthew J.C. Hellman, Esq. (via ECF)

The application is ☒ granted.  
denied.  
  
Andrew L. Carter Jr., U.S.D.J.  
Dated: **7-19-23**  
NY, New York